

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

AMERICAN EXPRESS MARKETING &
DEVELOPMENT CORP.
(a Delaware corporation),
AMERICAN EXPRESS COMPANY
(a New York corporation)

Plaintiffs,

v.

JAMES HAROLD SPURLIN (an individual),

Defendant.

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)
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) Civil Action No. : 07-7317 (NRB)
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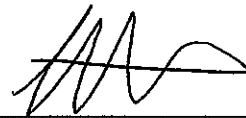
AFFIRMATION OF SERVICE

LOUIS SMITH hereby affirms under penalty of perjury as follows:

1. I am a Shareholder with Greenberg Traurig, LLP, counsel for Plaintiffs American Express Marketing & Development Corp. and American Express Company in the above-captioned matter. I have personal knowledge of the facts set forth herein.

2. On March 14, 2008, I sent via Federal Express to Irby E. Walker, Jr., counsel for Defendant James Harold Spurlin, a copy of the Notice of Motion for Default Judgment and Permanent Injunction, supporting Declarations of Louis Smith and Marc Groves, supporting Memorandum of Law, and proposed form of Default Judgment and Permanent Injunction.

I affirm under penalty of perjury that the foregoing is true and correct. Executed on March 14, 2008.



LOUIS SMITH